URS

May 6, 2003

Georgia Cranmore
Acting Assistant Regional Administrator
NMFS, Southeast Region
Protective Resources Division
9721 Executive Center Drive North
St. Petersburg, Florida 33702

RE: NEPA Notice of Draft Supplemental Environmental Assessment (SEA); ESA Section 7 Informal Consultation Request; and MSFCMA Consultation Request for the Bay Point Key/Saddlebunch Key Wastewater System, Monroe County, Florida

Dear Ms. Cranmore:

The purpose of this letter is to provide your agency with notice that URS Group, Inc. (URS), on behalf of the Federal Emergency Management Agency (FEMA), is preparing a Draft Supplemental Environmental Assessment (SEA); pursuant to the National Environmental Policy Act; for the Bay Point Key/Saddlebunch Key Wastewater System, Monroe County, Florida. The Draft SEA evaluates three wastewater management alternatives proposed for Bay Point Key/Saddlebunch Key: No Action (Alternative 1); Centralized Wastewater Treatment Plant located on Bay Point Key (Alternative 2); and New Wastewater Transmission System Construction (Alternative 3). At this time, FEMA requests your concurrence with their findings of no effect in compliance with Section 7 of the Endangered Species Act, and the Essential Fish Habitat provisions of the Magnuson-Stevens Fishery Conservation and Management Act for the three alternatives under review.

FEMA is considering funding an application from the Florida Keys Aqueduct Authority (FKAA) to construct a wastewater treatment system that would serve residents of Bay Point and Saddlebunch Keys in the Florida Keys. The purpose of the FKAA project is to reduce wastewater nutrient loading at selected Monroe County-identified "hot spots" to improve water quality; these "hot spots" are believed to contribute to water quality degradation. The Monroe County Sanitary Wastewater Master Plan ranked Bay Point and Saddlebunch Keys as the 3rd most critical "hot spot" in the Florida Keys. The "hot spot" ranking is linked to the use of cesspools and septic systems as Bay Point Key and Saddlebunch Key's main wastewater treatment systems. FEMA would provide funding assistance to the FKAA as part of their effort to assist residents on Bay Point and Saddlebunch Keys in meeting the Florida Statutory Treatment Standards of 2010 for

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wastewater effluent disposal to shallow wells. A description of the range of alternatives for the proposed wastewater treatment system is attached. Please note that this attachment represents only a portion of the draft SEA. Additionally, a street map of the project vicinity has also been attached. Your comments on the range of alternatives will be considered and incorporated into the final SEA document, which is slated for completion later this year.

Current lists of special status species with the potential to occur in Monroe County were obtained from "Threatened and Endangered Species Software (TESS), Version 2.0," from the U.S. Fish and Wildlife Service (FWS) Threatened and Endangered Species Internet site (http://endangered.fws.gov/), as well as the internet sites for the Gulf of Mexico Fishery Management Council (http://www.gulfcouncil.org/) and the South Atlantic Fishery Management Council (http://www. safmc.net/).

On August 1, 2002 URS biologists Keith Stannard and Michael Breiner performed a reconnaissance level field survey at the preferred site. On February 19, 2003, URS biologists Keith Stannard and Ramon Mendieta performed reconnaissance level field surveys at the alternate sites. The purpose of these surveys was to investigate the potential presence of federally protected species and/or suitable habitat for these species at each of the sites. The following sites were investigated:

- **Preferred Site for Construction on a New Treatment Plant** – Wastewater Treatment Plant (WWTP) Preferred Site located south of US Highway 1 (US-1) and east of West Circle Drive on Bay Point Key at approximately mile marker (MM) 14.8; and
- **Alternate Site for a Vacuum Pump Station, and Corridor for Construction of a New Transmission System to an Existing Treatment Plant** – Alternate Site for a Vacuum Pump Station (VPS), located south of US Highway 1 (US-1) and east of West Circle Drive on Bay Point Key at approximately mile marker (MM) 14.8; approximately 11-mile corridor for wastewater transmission system, constructed along the south side of the US-1 right-of-way (ROW); and an existing WWTP on south Stock Island.

Under Alternatives 2 and 3, no marine resources, tidal wetlands or other potential Essential Fish Habitat (EFH) typically occur within 150 feet of the proposed alternative sites. Neither construction nor operation of either alternative would affect EFH. Further, as described in Section 3.3 (Biological Resources) and Section 3.6.2 (Fishing Industry) of the Programmatic Environmental Assessment for Wastewater Improvements in the

Florida Keys, implementation of the either alternative is expected to improve nearshore water quality, by reducing nutrient loading. Seagrasses, mangroves and hardbottom habitats serve as critical nursery habitat for commercially significant fisheries species as well as several Federal and state-listed marine species. Their health is dependent to a large degree on water quality. Therefore, the implementation of the either alternative is expected to have a net positive effect on EFH as well as Federally-listed marine species.

In order to further ensure that EFH is not affected, FKAA would employ best management practices (BMPs) to prevent concrete, steel and other demolition debris, waste, and construction material from entering tidal wetlands and/or marine waters. These measures may include the deployment of silt screens, turbidity curtains, or other barriers prior to commencement of construction.

All equipment operating in the project area would be regularly cleaned, checked for leaks, and otherwise maintained. Equipment refueling would be done away from marine waters, and, in the unlikely event that a fuel leak or spill were to occur, adequate containment equipment and cleanup (absorbent material) supplies would be readily available at the worksite.

No species listed for protection at the state or Federal levels were observed in either of the proposed areas alternative sites. Based on the results of the biological field visit, consultation with experts, and a review of special status species lists, FEMA finds that the proposed alternatives would not result in the take of threatened or endangered species or species protected under the Migratory Bird Treaty Act (MBTA), jeopardize the continued existence of these species, or adversely affect their habitat.

As part of the informal consultation process, FEMA respectfully seeks written concurrence with this determination of no effect within 30 days to the letterhead address. If you have any questions or comments, please do not hesitate to contact me at (305) 884-8900, or Ms. Science Kilner, FEMA Lead Environmental Specialist, at (770) 220-5357. Thank you very much for your assistance.

Sincerely,

URS Group, Inc.

Ramon Mendieta
Environmental Scientist

Attachments as noted

cc: Science Kilner, FEMA Region IV, Lead Environmental Specialist
Stephen Carruth, URS Group, Inc., Environmental Planner

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
9721 Executive Center Drive North
St. Petersburg, FL 33702
(727) 570-5312, FAX 570-5517
http://caldera.sero.nmfs.gov

MAY 19 2003

Dear Colleague:

The National Marine Fisheries Service (NMFS) Protected Resources Division has reviewed your letter pursuant to Section 7(a)(2) of the Endangered Species Act (ESA) concerning Bay Point Key / Saddlebunch Key Wastewater System / Monroe County, Florida, dated May 6, 2003.

_____We cannot determine impacts to threatened or endangered species, or designated critical habitat, under NMFS purview because the letter lacks sufficient information to evaluate the project.

_____As requested, enclosed is a list of federally protected species under the jurisdiction of NMFS for the project area. Biological information on federally protected sea turtle species and other listed species can be found at the following website addresses: NMFS Southeast Regional Office (http://caldera.sero.nmfs.gov/protect/protect.htm); NMFS Office of Protected Resources (http://www.nmfs.noaa.gov/prot_res/prot_res.html); U.S. Fish and Wildlife Service (http://noflorida.fws.gov/SeaTurtles/seaturtle-info.htm); the Ocean Conservancy (http://www.cmc-ocean.org/main.php3); the Caribbean Conservation Corporation (http://www.cccturtle.org/); and http://www.turtles.org

__✓__It is NMFS' opinion that the project will have **no effect** on listed species or critical habitat protected by the ESA under NMFS' purview, because there are no listed species or designated critical habitat in the project area. **No further consultation with NMFS pursuant to Section 7(a)(2) of the ESA is required.**

If you have any questions, please contact the Section 7 coordinator, Eric Hawk, at (727)570-5312, or by e-mail at eric.hawk@noaa.gov.

Sincerely,

Georgia Cranmore
Assistant Regional Administrator
for Protected Resources

_____Enclosure
File:1514-22.b. General correspondence
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URS

May 6, 2003

Ms. Jocelyn Karazsia
National Marine Fisheries Service
Division of Habitat Conservation
11420 N. Kendall Drive, Suite 103
Miami, Florida 33176

RE: NEPA Notice of Draft Supplemental Environmental Assessment (SEA); ESA Section 7 Informal Consultation Request; and MSFCMA Consultation Request for the Bay Point Key/Saddlebunch Key Wastewater System, Monroe County, Florida

Dear Ms. Karazsia:

The purpose of this letter is to provide your agency with notice that URS Group, Inc. (URS), on behalf of the Federal Emergency Management Agency (FEMA), is preparing a Draft Supplemental Environmental Assessment (SEA); pursuant to the National Environmental Policy Act; for the Bay Point Key/Saddlebunch Key Wastewater System, Monroe County, Florida. The Draft SEA evaluates three wastewater management alternatives proposed for Bay Point Key/Saddlebunch Key: No Action (Alternative 1); Centralized Wastewater Treatment Plant located on Bay Point Key (Alternative 2); and New Wastewater Transmission System Construction (Alternative 3). At this time, FEMA requests your concurrence with their findings of no effect in compliance with Section 7 of the Endangered Species Act, and the Essential Fish Habitat provisions of the Magnuson-Stevens Fishery Conservation and Management Act for the three alternatives under review.

FEMA is considering funding an application from the Florida Keys Aqueduct Authority (FKAA) to construct a wastewater treatment system that would serve residents of Bay Point and Saddlebunch Keys in the Florida Keys. The purpose of the FKAA project is to reduce wastewater nutrient loading at selected Monroe County-identified "hot spots" to improve water quality; these "hot spots" are believed to contribute to water quality degradation. The Monroe County Sanitary Wastewater Master Plan ranked Bay Point and Saddlebunch Keys as the 3rd most critical "hot spot" in the Florida Keys. The "hot spot" ranking is linked to the use of cesspools and septic systems as Bay Point Key and Saddlebunch Key's main wastewater treatment systems. FEMA would provide funding assistance to the FKAA as part of their effort to assist residents on Bay Point and Saddlebunch Keys in meeting the Florida Statutory Treatment Standards of 2010 for wastewater effluent disposal to shallow wells. A description of the range of alternatives

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700 South Royal Poinciana Boulevard
Miami Springs, FL 33166
Tel: 305.884.8900
Fax: 305.884.2665

for the proposed wastewater treatment system is attached. Please note that this attachment represents only a portion of the draft SEA. Additionally, a street map of the project vicinity has also been attached. Your comments on the range of alternatives will be considered and incorporated into the final SEA document, which is slated for completion later this year.

Current lists of special status species with the potential to occur in Monroe County were obtained from "Threatened and Endangered Species Software (TESS), Version 2.0," from the U.S. Fish and Wildlife Service (FWS) Threatened and Endangered Species Internet site (http://endangered.fws.gov/), as well as the internet sites for the Gulf of Mexico Fishery Management Council (http://www.gulfcouncil.org/) and the South Atlantic Fishery Management Council (http://www. safmc.net/).

On August 1, 2002 URS biologists Keith Stannard and Michael Breiner performed a reconnaissance level field survey at the preferred site. On February 19, 2003, URS biologists Keith Stannard and Ramon Mendieta performed reconnaissance level field surveys at the alternate sites. The purpose of these surveys was to investigate the potential presence of federally protected species and/or suitable habitat for these species at each of the sites. The following sites were investigated:

- **Preferred Site for Construction on a New Treatment Plant** – Wastewater Treatment Plant (WWTP) Preferred Site located south of US Highway 1 (US-1) and east of West Circle Drive on Bay Point Key at approximately mile marker (MM) 14.8; and
- **Alternate Site for a Vacuum Pump Station, and Corridor for Construction of a New Transmission System to an Existing Treatment Plant** – Alternate Site for a Vacuum Pump Station (VPS), located south of US Highway 1 (US-1) and east of West Circle Drive on Bay Point Key at approximately mile marker (MM) 14.8; approximately 11-mile corridor for wastewater transmission system, constructed along the south side of the US-1 right-of-way (ROW); and an existing WWTP on south Stock Island.

Under Alternatives 2 and 3, no marine resources, tidal wetlands or other potential Essential Fish Habitat (EFH) typically occur within 150 feet of the proposed alternative sites. Neither construction nor operation of either alternative would affect EFH. Further, as described in Section 3.3 (Biological Resources) and Section 3.6.2 (Fishing Industry) of the Programmatic Environmental Assessment for Wastewater Improvements in the Florida Keys, implementation of the either alternative is expected to improve nearshore

water quality, by reducing nutrient loading. Seagrasses, mangroves and hardbottom habitats serve as critical nursery habitat for commercially significant fisheries species as well as several Federal and state-listed marine species. Their health is dependent to a large degree on water quality. Therefore, the implementation of the either alternative is expected to have a net positive effect on EFH as well as Federally-listed marine species.

In order to further ensure that EFH is not affected, FKAA would employ best management practices (BMPs) to prevent concrete, steel and other demolition debris, waste, and construction material from entering tidal wetlands and/or marine waters. These measures may include the deployment of silt screens, turbidity curtains, or other barriers prior to commencement of construction.

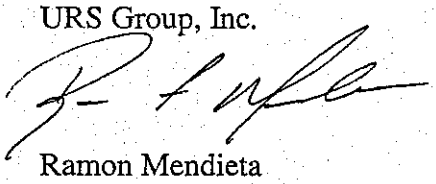
All equipment operating in the project area would be regularly cleaned, checked for leaks, and otherwise maintained. Equipment refueling would be done away from marine waters, and, in the unlikely event that a fuel leak or spill were to occur, adequate containment equipment and cleanup (absorbent material) supplies would be readily available at the worksite.

No species listed for protection at the state or Federal levels were observed in either of the proposed areas alternative sites. Based on the results of the biological field visit, consultation with experts, and a review of special status species lists, FEMA finds that the proposed alternatives would not result in the take of threatened or endangered species or species protected under the Migratory Bird Treaty Act (MBTA), jeopardize the continued existence of these species, or adversely affect their habitat.

As part of the informal consultation process, FEMA respectfully seeks written concurrence with this determination of no effect within 30 days to the letterhead address. If you have any questions or comments, please do not hesitate to contact me at (305) 884-8900, or Ms. Science Kilner, FEMA Lead Environmental Specialist, at (770) 220-5357. Thank you very much for your assistance.

Sincerely,

URS Group, Inc.



Ramon Mendieta
Environmental Scientist

Attachments as noted

cc: Rickey N. Ruebsamen, NMFS Southeast Region
Science Kilner, FEMA Region IV, Lead Environmental Specialist
Stephen Carruth, URS Group, Inc., Environmental Planner

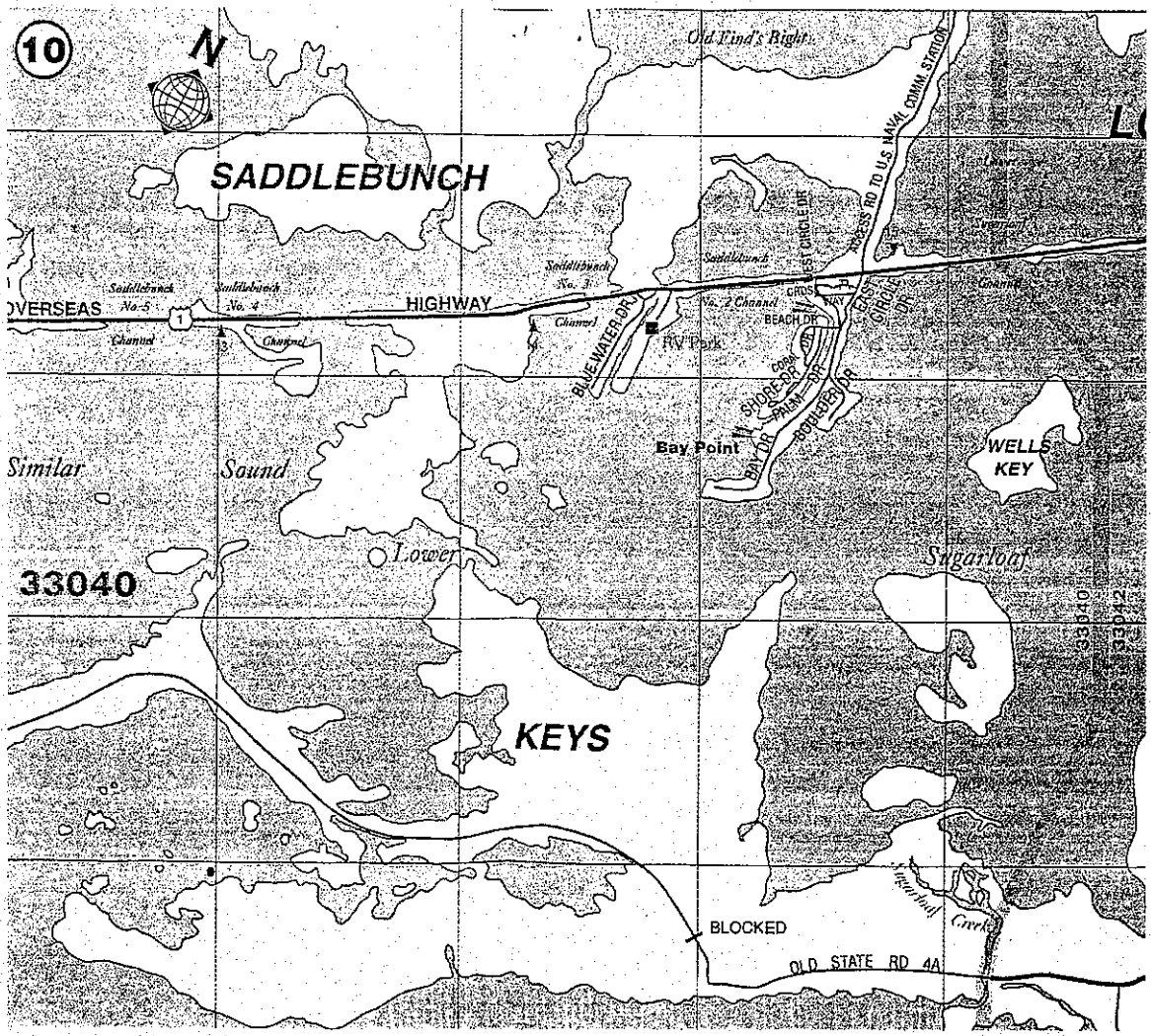


Figure 1: Bay Point Key/Saddlebunch Key project vicinity

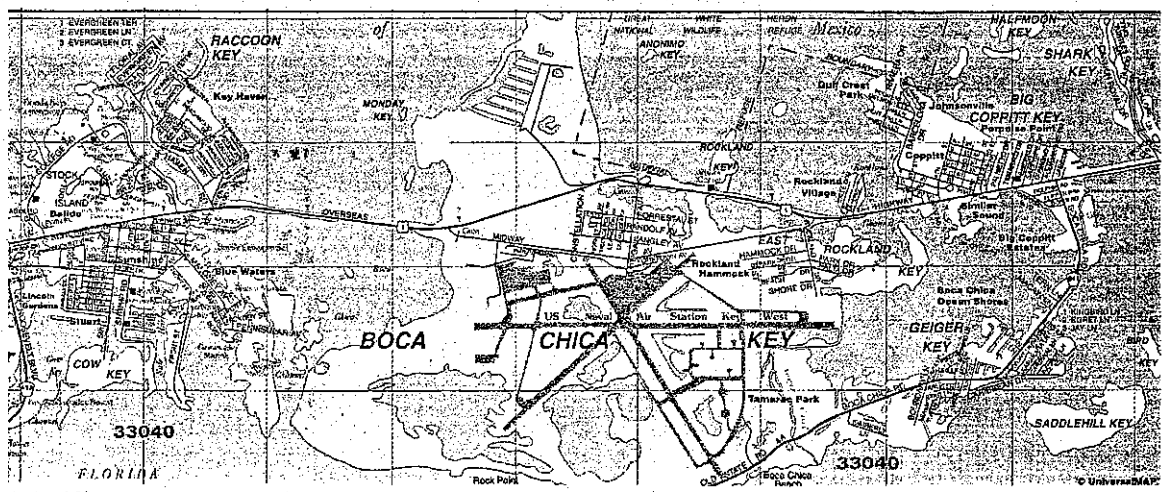


Figure 2: Bay Point Key/Saddlebunch Key project vicinity-transmission corridor

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
9721 Executive Center Drive North
St. Petersburg, Florida 33702

May 29, 2003

Mr. Ramon Mendieta
URS Corporation
Eastern Financial Building, Suite 1000
700 South Royal Poinciana Boulevard
Miami Springs, Florida 33166

Dear Mr. Mendieta:

The National Marine Fisheries Service (NOAA Fisheries) has reviewed the May 6, 2003, **Notice of Draft Supplemental Environmental Assessment (SEA) for the Bay Point Key/Saddlebunch Key Wastewater System, Monroe County, Florida**, which you provided. By letter dated February 18, 2003, to the Federal Emergency Management Agency (FEMA), we provided comments on the September 20, 2002, Draft Programmatic Environmental Assessment (PEA) for the Proposed Wastewater Treatment Improvements in the Florida Keys, Florida. In addition, by letters dated February 27, 2003, and March 17, 2003, to URS Corporation, NOAA Fisheries provided comments on the Draft Supplemental Environmental Assessments for the Conch Key and the Plantation Key Wastewater Systems in Monroe County, Florida.

According to the information you provided, URS Group, Inc., on behalf of FEMA, is preparing a SEA for the Bay Point Key/Saddlebunch Key Wastewater System in Monroe County, Florida. FEMA is considering funding an application from the Florida Keys Aqueduct Authority (FKAA) to construct a wastewater treatment system that would serve residents on Bay Point Key and Saddlebunch Key in the Florida Keys. The propose of the FKAA's project is to reduce wastewater nutrient loading at selected Monroe County identified "hot spots," thereby improving water quality. These hot spots are believed to contribute to water quality degradation. The Monroe County Sanitary Wastewater Master Plan ranked Bay Point and Saddlebunch Keys as the 3rd most critical hot spot in the Florida Keys. The hot spot ranking is linked to the use of cesspools and septic systems as Bay Point Key and Saddlebunch Key's principal means for wastewater treatment.

The Draft SEA evaluates three wastewater management alternatives proposed for Bay Point Key/Saddlebunch Key. These alternatives include, Alternative 1: No Action; Alternative 2: Centralized Wastewater Treatment Plant located on Bay Point Key; and Alternative 3: New Wastewater Transmission System Construction. These three alternatives are briefly described below.

The No Action Alternative would not provide funding assistance to the FKAA for the proposed wastewater management project. In order to meet the Florida Statutory Treatment Standards of 2010, the FKAA and service area residents would need to identify another source of funding for upgrading currently inadequate wastewater treatment systems.

The New Wastewater Treatment Plant Construction (Alternative 2 and the Preferred Alternative) would involve construction of a new wastewater collection system, vacuum pump station, and wastewater treatment plant (WWTP) that would be located on Bay Point Key. This alternative would establish new service to residents and business owners formerly utilizing on-site systems within the Bay Point Key/Saddlebunch Key service area. Through this alternative, approximately 320 cesspools and septic systems would be removed from residences and businesses in the service area.

The New Wastewater Transmission System Construction (Alternative 3) would involve the construction of a new transmission system including construction of a wastewater collection system on Bay Point and Saddlebunch Keys, a vacuum pump station on Bay Point Key and a wastewater transmission system extending from Bay Point Key to the existing Key West Resort Utilities wastewater treatment plant on Stock Island. Like Alternative 2, approximately 320 cesspools and septic systems would be removed from residences and businesses in the service area.

According to the information provided, Alternatives 2 and 3 are expected to improve nearshore water quality by reducing nutrient loading. In addition, no marine resources, tidal, wetlands, or other areas designated Essential Fish Habitat (EFH) occur within 150 feet of either proposed alternative site. Through execution of either alternative, a net positive effect on EFH is expected, given that the health of seagrass, mangrove, and hardbottom habitats is dependent, to a large degree, on water quality. In addition, the FKAA would employ best management practices, as outlined in the information provided, to further ensure that EFH is not affected.

NOAA Fisheries concurs with the determination that construction of a Bay Point Key/Saddlebunch Key Wastewater System is expected to have a beneficial effect with regard to EFH. Nearshore marine habitats including seagrass communities and coral reefs are likely to benefit as a result of reductions in total suspended solids, nutrients, and pathogens that are expected in connection with wastewater improvement activities.

In conclusion, NOAA Fisheries supports improvement of the existing wastewater treatment facilities Keys-wide, including the proposed improvements at Bay Point Key/Saddlebunch Key. Reducing nutrient loading into nearshore waters from outdated septic systems and cesspits should result in improved water quality and positive effects on EFH and other NOAA Fisheries-trust resources in the Florida Keys.

At this time, we do not have specific comments or recommendations to provide. We look forward to working with FEMA and URS, Inc., as you develop more detailed information. If we can be of further assistance, please advise. Related comments, questions or correspondence should be directed to Ms. Jocelyn Karazsia in Miami, Florida, at (305) 595-8352.

Sincerely,

for Frederick C. Sutter III
Deputy Regional Administrator

cc:
EPA, Marathon
DEP, Marathon
FFWCC, Tallahassee
FWS, Big Pine Key
F/SER4
F/SER45-Karazsia

URS

May 6, 2003

Mr. Jay Slack
U.S. Fish and Wildlife Service
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960-3559

RE: NEPA Notice of Draft Supplemental Environmental Assessment (SEA); and ESA Section 7 Informal Consultation Request for the Bay Point Key/Saddlebunch Key Wastewater System, Monroe County, Florida

Dear Mr. Slack:

The purpose of this letter is to provide your agency with notice that URS Group, Inc. (URS), on behalf of the Federal Emergency Management Agency (FEMA), is preparing a Draft Supplemental Environmental Assessment (SEA); pursuant to the National Environmental Policy Act; for the Bay Point Key/ Saddlebunch Key Wastewater System, Monroe County, Florida. The Draft SEA evaluates three wastewater management alternatives proposed for Bay Point Key/Saddlebunch Key: No Action (Alternative 1); Centralized Wastewater Treatment Plant located on Bay Point Key (Alternative 2); and New Wastewater Transmission System Construction (Alternative 3). At this time, FEMA requests your concurrence with their findings of not likely to adversely effect in compliance with Section 7 of the Endangered Species Act and the Migratory Bird Treaty Act (MBTA) for the three alternatives under review.

FEMA is considering funding an application from the Florida Keys Aqueduct Authority (FKAA) to construct a wastewater treatment system that would serve residents of Bay Point and Saddlebunch Keys in the Florida Keys. The purpose of the FKAA project is to reduce wastewater nutrient loading at selected Monroe County-identified "hot spots" to improve water quality; these "hot spots" are believed to contribute to water quality degradation. The Monroe County Sanitary Wastewater Master Plan ranked Bay Point and Saddlebunch Keys as the 3rd most critical "hot spot" in the Florida Keys. The "hot spot" ranking is linked to the use of cesspools and septic systems as Bay Point Key and Saddlebunch Key's main wastewater treatment systems. FEMA would provide funding assistance to the FKAA as part of their effort to assist residents on Bay Point and Saddlebunch Keys in meeting the Florida Statutory Treatment Standards of 2010 for wastewater effluent disposal to shallow wells. A description of the range of alternatives for the proposed wastewater treatment system is attached. Please note that this attachment represents only a portion of the draft SEA. Additionally, a street map of the project

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vicinity has also been attached. Your comments on the range of alternatives will be considered and incorporated into the final SEA document, which is slated for completion later this year.

Lists of special status species with the potential to occur in Monroe County were obtained from "Threatened and Endangered Species Software (TESS), Version 2.0," and from the U.S. Fish and Wildlife Service (FWS) Threatened and Endangered Species Internet site.

On August 1, 2002 URS biologists Keith Stannard and Michael Breiner performed a reconnaissance level field survey at the preferred site. On February 19, 2003, URS biologists Keith Stannard and Ramon Mendieta performed reconnaissance level field surveys at the alternate sites. The purpose of these surveys was to investigate the potential presence of federally protected species and/or suitable habitat for these species at each of the sites. The following sites were investigated:

- **Preferred Site for Construction on a New Treatment Plant** – Wastewater Treatment Plant (WWTP) Preferred Site located south of US Highway 1 (US-1) and east of West Circle Drive on Bay Point Key at approximately mile marker (MM) 14.8; and
- **Alternate Site for a Vacuum Pump Station, and Corridor for Construction of a New Transmission System to an Existing Treatment Plant** – Alternate Site for a vacuum pump station, located south of US Highway 1 (US-1) and east of West Circle Drive on Bay Point Key at approximately mile marker (MM) 14.8; approximately 11-mile corridor for wastewater transmission system, constructed along the south side of the US-1 right-of-way (ROW); and an existing WWTP on south Stock Island.

Description of Preferred Site

Under Alternative 2, a new treatment plant would be constructed on Bay Point Key at approximately MM 14.8, south of US-1 and east of West Circle Drive. The site is bounded to the south by an unnamed service road, and is approximately 0.3 acres in size. Existing vegetation at the Preferred Site can largely be characterized as upland habitat dominated by invasive, non-indigenous plant species.

Approximately half of this site consists of Australian pine (*Casuarina equisetifolia*) with a dense Brazilian pepper (*Schinus terebinthifolius*) understory, and a few umbrella trees (*Schefflera actinophylla*) and potato trees (*Solanum erianthum)* on the periphery. The

herbaceous vegetation, dominant in the western portion of the site, includes yellow joyweed (*Alternanthera flavescens*), beggarticks (*Bidens alba* var. *radiata)*, false buttonweed (*Spermacoce verticillata)*, Indian hemp (*Sida rhombifolia)*, common wireweed (*Sida acuta*), wedelia (*Sphagneticola trilobata*), capeweed (*Phyla nodiflora*), West Indian dropseed (*Sporobolus indicus* var. *pyramidalis)*, bluestem grasses (*Andropogon* spp.), and crowfootgrass (*Dactyloctenium aegyptium*).

No federal- or State-listed wildlife species were observed on the preferred site. No jurisdictional wetlands or surface waters or other critical habitat were identified at this site.

Description of Alternate Sites

Under Alternative 3, a transmission system would be constructed from Bay Point Key to an existing treatment plant on Stock Island. Under this alternative, a site located Bay Point Key located at approximately MM 14.8, south of US-1 and east of West Circle Drive (previously described under Alternative 2) would be used for the placement of a vacuum pump station. In addition, an approximately 11-mile transmission system corridor to an existing treatment plant on south Stock Island would be required. Portions of the transmission force main would be slip-lined in an abandoned 18-inch FKAA water main that runs parallel to US-1. Areas not available for slip-lining would be trenched to accommodate the force main. The entire transmission system would be contained in the southern right-of-way (ROW) of US-1.

Much of the vegetation adjacent to the paved US-1 roadway, along the proposed transmission system route consists primarily of grasses and weeds typical of maintained ROW, grading south to a forested fringe of coastal wetland vegetation with an open connection to the Atlantic Ocean. Vegetation within the maintained ROW consists of Bermuda grass (*Cynodon dactylon*), St. Augustine grass (*Stenotaphrum secundatum*), and crowfootgrass. A few planted ornamentals consisting mainly of coconut palms (*Cocos nucifera*) are also present along portions of the 11-mile corridor. An 8-foot wide bicycle/pedestrian trail, extending from the Bay Point vacuum pump station site to Shark Channel, is located along the proposed transmission corridor.

Adjacent to the south of the maintained ROW, fringing coastal mangrove wetlands with open connections to the Atlantic Ocean form an almost continuous system from Bay Point Key to Shark Channel, broken only by a paved access road (Blue Water Drive) on Saddlebunch Key. The widths of the fringing coastal wetlands vary from approximately

10 feet to 40 feet. The tidal wetlands from Bay Point Key to Big Coppitt Key include the surface waters and mangrove islands of Saddlebunch 2, 3, 4, and 5 Bridge crossings. Dominant species within these coastal wetlands include red mangrove (*Rhizophora mangle*), black mangrove (*Avicennia germinans*), white mangrove (*Laguncularia racemosa*), buttonwood (*Conocarpus erectus*), and sea oxeye (*Borrichia frutescens*). Brazilian pepper and seagrape (*Coccoloba uvifera*) were also present along the outermost landward edge.

A depressional freshwater wetland is located at approximately MM 10.6, (approximately 400 feet west of Boca Chica Road). Dominant species in this wetland include cattail (*Typha* sp.), Brazillian pepper, buttonwood, lead tree (*Leucaena leucocephala*), rusty flat sedge (*Cyperus odoratus*), and saltgrass (*Distichlis spicata*).

Four fringing coastal mangrove wetlands and one freshwater depressional wetland were identified south of the maintained ROW on Big Coppitt Key. The four coastal wetlands have direct connections to the Atlantic Ocean, and are dominated by red mangrove, black mangrove, white mangrove, buttonwood, and sea oxeye. The coastal wetlands also include the mangrove islands of the Rockland Channel bridge crossing and the surface waters of the Atlantic Ocean.

An almost continuous fringing coastal mangrove wetland exists just south of the maintained ROW from Rockland Key to Key Haven. Dominant species comprising the coastal wetlands include red mangrove, black mangrove, white mangrove, buttonwood, and sea oxeye. Brazillian pepper and seagrape are also present along the outermost landward fringe.

A manmade ditch (apparently a former mosquito control feature) occurs near Midway Avenue (MM 7) on Boca Chica. This ditch is located south of the maintained ROW and runs parallel to US-1; the ditch terminates at approximately MM 8. The ditch supports a coastal mangrove wetland dominated by red mangroves. This wetland is bordered to the south by disturbed uplands dominated by Australian pine.

The alternate WWTP site primarily consists of mixed bare gravel, used as fill with occasional maintained ground cover and landscaped vegetation. The ground cover, where present, consists mainly of weedy grasses. A linear fringe of vegetation is present along the south, west, and east side of the facility dominated by Australian pine, buttonwood, and seaside mahoe (*Thespesia populnea).*

No federal- or State-listed wildlife species were not observed on any of the alternate sites.

Anticipated Impacts to Special Status Species

The Preferred Site consists of disturbed ruderal or landscaped areas unlikely to support federally listed threatened and endangered species that potentially occur in this portion of the Florida Keys. Very little or no habitat was observed at the Alternate site that would likely support federally listed threatened and endangered species..

Although the federally-endangered Lower Keys marsh rabbit (*Sylvalagus palustris hefneri*) and silver rice rat (*Oryzomys palustris natator*) potentially occur in the area (i.e., Saddlebunch Keys; Hipes et al., 2001), it is unlikely that these two endangered mammals directly utilize either the Preferred or Alternate site due to highly disturbed and altered site conditions. The marsh rabbit and rice rat have specific requirements for undisturbed nesting and foraging habitat, and any occurrences at these sites by these species would be transitory in nature.

The federally-threatened Stock Island tree snail (*Orthalicus reses reses*) may potentially occur in the area of the KWRU WWTP (Hipes et al, 2001), but due to the highly developed and urbanized environment it is unlikely that the site provides suitable habitat for this species.

The osprey (*Pandion haliaetus*) is listed by the State as a Species of Special Concern in Monroe County. One osprey nest was observed along the transmission system corridor on Boca Chica. Potential impacts to the osprey would be limited to temporary disruption of foraging along the fringe of mangrove trees directly adjacent to the construction area. No permanent impacts to the existing osprey nest are anticipated as a result of this project.

Additionally, due to its small size, proximity to US-1 and other developed areas and degraded habitat value due to exotic species invasion, the Preferred Site is not likely to provide significant nesting, roosting or foraging habitat for migratory birds or other transient species. The Alternate Site may provide some foraging habitat for migratory birds and other transient species, but no permanent impacts to foraging habitat are anticipated.

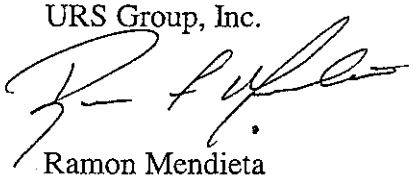
Under the No Action Alternative (Alternative 1), no changes would be made to the existing wastewater systems. It is likely that the benefits associated with improved water

quality would be delayed and continued degradation in water quality would continue in the short-term.

Based on the results of the biological field visit, consultation with experts, and a review of special status species lists, FEMA finds that the proposed alternatives would not result in the take of federally listed threatened or endangered species or species protected under the Migratory Bird Treaty Act (MBTA), jeopardize the continued existence of these species, or adversely affect their habitat. As part of the informal consultation process, FEMA respectfully seeks written concurrence on this determination of no effect within 30 days to the letterhead address. If you have any questions or comments, please do not hesitate to contact me at (305) 884-8900, or Ms. Science Kilner, FEMA Lead Environmental Specialist, at (770) 220-5357. Thank you very much for your assistance.

Sincerely,

URS Group, Inc.



Ramon Mendieta
Environmental Scientist

Attachments as noted

cc: Andrew Gude, U.S. Fish and Wildlife Service
Science Kilner, FEMA Region IV, Lead Environmental Specialist
Stephen Carruth, URS Group, Inc., Environmental Planner

References

Hipes, D., D. R. Jackson, K. NeSmith, D. Printiss, and K. Brandt. 2001. Field guide to the rare animals of Florida. Florida Natural Areas Inventory, Tallahassee.
Service (FWS), 1999. South Florida Multi-Species Recovery Plan, Atlanta, Georgia.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960

September 17, 2003

William Straw, Ph.D.
Federal Emergency Management Agency
Region IV Environmental Officer
Federal Insurance and Mitigation Division
3003 Chamblee Tucker road
Atlanta, Georgia 30341

Service Log No.: 4-1-03-I-2084
Project: Bay Point/Saddlebunch Key Wastewater Treatment System
Date: May 6, 2003 and August 5, 2003
County: Monroe

Dear Dr. Straw:

The Fish and Wildlife Service (Service) has reviewed plans, maps, and other information provided by the Federal Emergency Management Agency (FEMA) and the URS Group on behalf of FEMA for the Draft Supplemental Environmental Assessment for the Bay Point Key/Saddlebunch Key Wastewater System. You have requested concurrence with a "no effect" determination regarding threatened and endangered species and migratory birds. Our comments are provided under the provisions of section 7 of the Endangered Species Act (ESA) of 1973, as amended (87 Stat. 884; 16 U.S.C. 1531 *et seq.*) and in consideration of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. 703-712).

FEMA is considering funding an application from the Florida Keys Aqueduct Authority to construct a wastewater treatment system that would serve the residents of Bay Point and Saddlebunch Key in the Florida Keys. The project would be located at mile marker 14.8, south of U.S. Highway 1, on Bay Point Key, Monroe County, Florida. The system would include a wastewater collection system, vacuum pump station, and wastewater treatment plant. The site is approximately 0.3 acre in size and is characterized as disturbed upland dominated by invasive, non-indigenous plant species. For the proposed action, FEMA provided a determination that the project will have no effect on federally listed threatened and endangered species or migratory birds.

Based upon review of your project proposal and biological information, the Service supports FEMA's determination that this project will have no effect on federally listed threatened or

endangered species or migratory birds. If modifications are made to the project, or if additional information involving potential effects to listed species becomes available, reinitiation of consultation may be necessary.

Thank you for your assistance in conserving the environment of the Florida Keys. If you have any questions, please contact Brad Rieck at 772-562-3909 extension 231.

Sincerely yours,

Allen D. Webb

Linda S. Ferrell
Assistant Field Supervisor
South Florida Ecological Services Office

cc:
EPA, West Palm Beach, Florida
FWC, Vero Beach, Florida